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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,167	03/26/2001	Sohail Baig Mohammed	MSFT-0309/150645.1	8166
7590 10/21/2003			EXAMINER	
Woodcock Washburn Kurtz Mackiewicz & Norris LLP One Liberty Place - 46th Floor Philadelphia, PA 19103			ELISCA, PIERRE E	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/817,167

Applicant(s)  
Sohail Baig Mohammed et al.

Examiner  
Pierre E. Elisca

Art Unit  
3621



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03/26/2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-72 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-72 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3 6) ☐ Other: \_\_\_\_\_

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**Examiner Pierre Eddy Elisca**  
**United States Department of Commerce**  
**Patent and Trademark Office**  
**Washington, D.C. 20231**

**DETAILED ACTION**

1. This Office action is in response to Application No. 09/817,167, filed on 03/26/2001.
2. Claims 1-72 are pending.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 1-72 are rejected under 35 U.S.C. 102 (e) as being anticipated by Downs et al. (U.S. Pat. No. 6,574,609).

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As per claims 1, 4-13, 49, and 52-66 Downs discloses a right management in the secure digital content electronic distribution system that is implemented through a set of functions distributed among the operating components of the system, comprising the steps of:

hosting, by the rendering application, a browser; causing , by the rendering application, the browser to navigate to a license server (see., abstract, specifically col 7, lines 22-64, col 66, lines 34-50, license 660, fig 6);

allowing a user to communicate with the license server by way of the hosted browser to acquire the license (see., abstract, col 66, lines 22-67, fig 6);

receiving the license from the license server; and shutting down, by the hosting rendering application, the hosted browser upon receiving the license (see., col 66, lines 34-67, specifically wherein it is stated that signature of the license can be verified to determine if it is a valid license. If it is a valid license either the download is initiated, or the download request may be redirected (redirected or shutting down) to another content).

As per claims 2, and 50 Downs discloses the claimed method of causing the browser to navigate to a license server based on information received by the rendering application from the DRM (see., abstract, col 1, lines 62-67, col 6, lines 59-67, col 7, lines 1-64).

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As per claims 3, 51 Downs discloses the claimed method of receiving information necessary to acquire the license including a site identifier identifying a license server and causing the browser to navigate to the license server based on the site identifier (see., col 66, lines 27-64, col 65, lines 3-40).

As per claims 14-24, Downs discloses a right management in the secure digital content electronic distribution system that is implemented through a set of functions distributed among the operating components of the system, comprising the steps of:

hosting, by the rendering application, a browser; causing , by the rendering application, the browser to navigate to a license server (see., abstract, specifically col 7, lines 22-64, col 66, lines 34-50, license 660, fig 6);

attempt, by the DRM system, to silently acquire the license from a license server without the intervention of a user (see., abstract, col 66, lines 22-67, fig 6);

if the attempt to silently acquire the license fails, allowing a user to attempt to acquire the license from a license server by way of a browser hosted by the rendering application (see., col 66, lines 34-67, specifically wherein it is stated that signature of the license can be verified to determine if it is a valid license. If it is a valid license either the download is initiated, or the download request may be redirected (redirected or attempt) to another content).

As per claims 25-48, and 67-72 Downs discloses the claimed limitation of having operating thereon a rendering application for rendering digital content and a digital rights managements system for

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authorizing such rendering based on a corresponding digital license, the rendering application and the DRM system for effectuating acquisition of such license upon the rendering application requesting the DRM system for authorization for such rendering based on such license and upon the DRM system notifying the rendering application that such license is not available on the computing device, the rendering application hosting a browser and causing the browser to navigate to a license server to allow a user to communicate with the license server by way of the hosted browser to acquire the license, the rendering application shutting down the hosted browser upon receiving the license from the license server (see., abstract, specifically col 7, lines 22-64, col 66, lines 3450, license 660, fig 6, col 66, lines 34-67, specifically wherein it is stated that signature of the license can be verified to determine if it is a valid license. If it is a valid license either the download is initiated, or the download request may be redirected (redirected or shutting down) to another content.

***Conclusion***

5. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

**Any response to this action should be mailed to:**

Commissioner of patents and Trademarks

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Washington, D.C. 20231

The Official Fax Number For TC-3600 is:

**(703) 305-7687**



Pierre Eddy Elisca

Patent Examiner

**October 20, 2003**